

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.: 04-12447-RCL

JEFFREY SMITH,

Plaintiff

v.

CHARLIE'S PLACE, INC.,

Defendant

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2005 FEB -2 P 3:38
U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOINT MOTION TO CONTINUE SCHEDULING CONFERENCE

The Parties hereby submit this, their Joint Motion to Continue the Scheduling Conference in the above referenced matter. An initial Scheduling Conference is scheduled in this matter for Wednesday, February 16, 2005 at 3:00 p.m. For the reasons stated below, the parties jointly move to continue that Scheduling Conference to Wednesday, March 16, 2005.

As reason therefore, the parties state that counsel for the defendant, Charlie's Place, Inc., is scheduled to begin the trial of the case of *Steven Miller, M.D., et al v. Milton Hospital, et al*, Civil Action No: 93-2132A, in the Superior Court for Norfolk County, first case out, on Monday, February 14, 2005. The trial in that matter is scheduled to continue for at least fourteen (14) days. A copy of the Time Standards Pretrial Order in that matter is attached hereto as Exhibit A.

Wherefore, the parties move that the Court reschedule the initial Scheduling Conference in this matter to Wednesday, March 16, 2005 or to such other time as the Court deems appropriate.

JEFFREY SMITH

By his attorney:

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Dated: January 31, 2005

CHARLIE'S PLACE, INC.

By their attorney:

Steve Lyons
Stephen J. Lyons, Esquire
KLIEMAN, LYONS, SCHINDLER
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by mail on January 31, 2005.

Steve Lyons
Stephen J. Lyons

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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